

EXHIBIT A

NEIL F. GREENBLUM
BRUCE H. BERNSTEIN
JAMES L. BOWLAND
ARNOLD TURK
MICHAEL J. FINE
STEVEN WEGMAN
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DANIEL B. MOON
HANNO RUTNER
BRIAN C. CAREY

LAW OFFICES
GREENBLUM & BERNSTEIN, P.L.C.

PATENT, COPYRIGHT AND TRADEMARK MATTERS

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JAMES KENNETH MOORE, JR.
CHARLES D. NIEBYLSKI, Ph.D.

OF COUNSEL:

BRUCE H. STOWER, JR.
EDWARD F. KENNEDY, JR.

TECHNICAL ADVISORS:

TU ANH PHAM, Ph.D.
KATHIN VENTER, Ph.D.
DONALD SCALTRITO, Ph.D.
AKIRA IRIE
THOMAS WEBER, Ph.D.
AZY SOPHIA KOKABI

* ADMITTED TO A BAR
OTHER THAN VA
* EUROPEAN PATENT ATTORNEY
* KORAN PATENT ATTORNEY
* REGISTERED PATENT AGENT

March 3, 2005

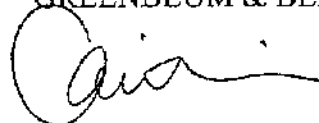
Ethan Horwitz
Goodwin Proctor LLP
599 Lexington Avenue
New York, NY 10022

Re: BIS Advanced Software Systems, Ltd. v. Red Bend Software, Inc., et al (our
reference no. J333802)

Dear Mr. Horwitz:

Enclosed please find copies of letters sent to the additional parties sought to be added
along with a copy of our client's motion to amend the complaint and the proposed amended
complaint in the above-referenced case.

Very truly yours,
GREENBLUM & BERNSTEIN



Caitlin Lhommedieu

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OTHER THAN VA

* EUROPEAN PATENT ATTORNEY

* KOREAN PATENT ATTORNEY

* REGISTERED PATENT AGENT

Mr. Robert Kimball
Vice President, Legal and Business Affairs,
General Counsel and Corporate Secretary
RealNetworks, Inc.
2601 Elliott Avenue
Suite 1000
Seattle, WA 98121

BY REGISTERED MAIL

Re: BIS Advanced Software Systems, Ltd. v. Red Bend Software, Inc., et al (our
reference no. J333802)

Dear Mr. Kimball:

Enclosed please find a copy of our client's motion to amend the complaint in the above-referenced case and a copy of the proposed amended complaint. We intend to file this motion ten business days after the date of this letter.

Very truly yours,
GREENBLUM & BERNSTEIN

Neil F. Greenblum

NFG/ckl

J333802.L77

LAW OFFICES

GREENBLUM & BERNSTEIN, P.L.C.

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March 3, 2005

Mr. David Levin
Chief Executive Officer
Symbian, Inc.
Bridge Park Center
390 Bridge Parkway
Suite 201
Redwood Shores, CA 94065

BY REGISTERED MAIL

Re: BIS Advanced Software Systems, Ltd. v. Red Bend Software, Inc., et al (our
reference no. J333802)

Dear Mr. Levin:

Enclosed please find a copy of our client's motion to amend the complaint in the above-referenced case and a copy of the proposed amended complaint. We intend to file this motion ten business days after the date of this letter.

Very truly yours,
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March 3, 2005

Mr. James Wickett
Executive Vice President of Corporate Development
Macrovision Corporation
2830 De La Cruz Boulevard
Santa Clara, CA 95050

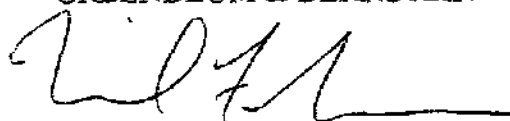
BY REGISTERED MAIL

Re: BIS Advanced Software Systems, Ltd. v. Red Bend Software, Inc., et al (our
reference no. J333802)

Dear Mr. Wickett:

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Very truly yours,
GREENBLUM & BERNSTEIN



Neil F. Greenblum

NFG/ckl

J333802.L77

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* EUROPEAN PATENT ATTORNEY
* KOREAN PATENT ATTORNEY
* REGISTERED PATENT AGENT

March 3, 2005

Mr. Jan Wareby
Corporate Executive Vice President
Sony Ericsson Mobile Communications (USA) Inc.
7001 Development Drive
Research Triangle Park, NC 27709

BY REGISTERED MAIL

Re: BIS Advanced Software Systems, Ltd. v. Red Bend Software, Inc., et al (our
reference no. J333802)

Dear Mr. Wareby:

Enclosed please find a copy of our client's motion to amend the complaint in the above-referenced case and a copy of the proposed amended complaint. We intend to file this motion ten business days after the date of this letter.

Very truly yours,
GREENBLUM & BERNSTEIN


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March 3, 2005

Mr. Bernt Klein
Senior Vice President and General Manager
Siemens Information and Communication Mobile LLC
5000 T-Rex Avenue
Suite 300
Boca Raton, FL 33431

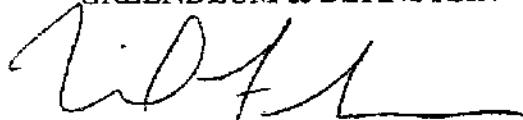
BY REGISTERED MAIL

Re: BIS Advanced Software Systems, Ltd. v. Red Bend Software, Inc., et al (our
reference no. J333802)

Dear Mr. Klein:

Enclosed please find a copy of our client's motion to amend the complaint in the above-referenced case and a copy of the proposed amended complaint. We intend to file this motion ten business days after the date of this letter.

Very truly yours,
GREENBLUM & BERNSTEIN



Neil F. Greenblum

NFG/ckl

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EDWARD F. KENEHAN, JR.

TECHNICAL ADVISORS:
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March 3, 2005

Mr. Bernt Klein
Senior Vice President and General Manager
Siemens Communications Inc.
900 Broken Sound Parkway
Boca Raton, FL 33487

BY REGISTERED MAIL

Re: BIS Advanced Software Systems, Ltd. v. Red Bend Software, Inc., et al (our
reference no. J333802)

Dear Mr. Klein:

Enclosed please find a copy of our client's motion to amend the complaint in the above-referenced case and a copy of the proposed amended complaint. We intend to file this motion ten business days after the date of this letter.

Very truly yours,
GREENBLUM & BERNSTEIN


Neil F. Greenblum

NFG/ckd

J333802.L77

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BIS Advanced Software Systems, Ltd.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-11960-RWZ
)	
Red Bend Software, Inc.,)	
Red Bend Software, Ltd.,)	
Time Warner Inc.,)	
ICQ, Inc.,)	
InstallShield Software Corp.,)	
and)	JURY TRIAL DEMANDED
ScanSoft, Inc.,)	
Defendants.)	
)	

MOTION FOR LEAVE TO FILE AN AMENDED COMPLAINT

Plaintiff BIS Advanced Software Systems, Ltd. (hereinafter "Plaintiff") requests leave of this Court to file an Amended Complaint against Defendants Red Bend Software, Inc., Red Bend Software, Ltd., Time Warner, Inc., ICQ, Inc., InstallShield Software Corp., and ScanSoft, Inc., amending the Complaint to add five Defendants.

Leave to amend a pleading shall be "freely given when justice so requires." Federal Rule of Civil Procedure 15(a). In this case, there is no substantial reason, such as undue prejudice to the non-moving party or futility, that would preclude amendment of the complaint. Plaintiff's Motion for Leave to File an Amended Complaint should be granted because: (1) the Defendants would not be unduly prejudiced; (2) the proposed amendment states a viable cause of action; (3) there would be no undue delay in the proceedings; and (4) Plaintiff has not acted in bad faith.

Plaintiff certifies that it has satisfied its obligations under L.R.15.1(b) with respect to the relief sought herein.

WHEREFORE, Plaintiff respectfully requests that this Court grant its Motion for
Leave to File an Amended Complaint.

March _____, 2005

GRIESINGER, TIGHE, & MAFFEI, LLP
Daniel P. Tighe
176 Federal Street
Boston, Massachusetts 02110-2214
(703) 617-542-9900

GREENBLUM & BERNSTEIN, P.L.C.
Neil F. Greenblum
Michael J. Fink
Caitlin Lhommedieu
1950 Roland Clarke Place
Reston, Virginia 20191
(703) 716-1191

Attorneys for Plaintiff
BIS Advanced Software Systems, Ltd.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BIS Advanced Software Systems, Ltd.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-11960-RWZ
)	
Red Bend Software, Inc.,)	
Red Bend Software, Ltd.,)	
Time Warner Inc.,)	
ICQ, Inc.,)	
InstallShield Software Corp.,)	JURY TRIAL DEMANDED
ScanSoft, Inc.,)	
Siemens Communications Inc.,)	
Siemens Information and Communication)	
Mobile LLC,)	
Sony Ericsson Mobile Communications)	
(USA) LLC,)	
RealNetworks, Inc.,)	
Symbian, Inc., and)	
Macrovision Corporation,)	
)	
Defendants.)	
<hr/>		

PROPOSED FIRST AMENDED COMPLAINT

Plaintiff BIS Advanced Software Systems, Ltd. by and through its attorneys, hereby demands a jury trial and alleges, upon information and belief, for its Complaint against Defendants Red Bend Software, Inc., Red Bend Software, Ltd., Time Warner, Inc., ICQ, Inc., InstallShield Software Corp., ScanSoft, Inc., Siemens Communications Inc., Siemens Information and Communication Mobile LLC, Siemens Information and Communication Mobile Inc., Sony Ericsson Mobile Communications (USA) Inc., RealNetworks, Inc., Symbian, Inc. and Macrovision Corporation as follows:

THE PARTIES

1. Plaintiff BIS Advanced Software Systems, Ltd. (hereinafter, "Plaintiff BIS") is an Israeli company, with its principal place of business at 35 Montefiore Street, Tel Aviv, 65201 Israel.

2. Plaintiff BIS is the assignee of U.S. Patent No. 6,401,239 (hereinafter, "the '239 Patent"), a true and correct copy of which is attached with the Certificate of Correction as Exhibit A.

3. Defendant Red Bend Software, Inc. is organized and existing under the laws of the State of California, with its principal place of business at 175 Crossing Blvd., Suite 320, Framingham, Massachusetts 01702.

4. Defendant Red Bend Software, Ltd. is an Israeli company, with its principal place of business at 11 Amal Street, Afek Industrial Park, Rosh Ha'ayin, 48092 Israel.

5. Defendant Time Warner, Inc. is organized and existing under the laws of the State of Delaware, with its principal place of business at 75 Rockefeller Plaza, New York, New York 10019.

6. Defendant ICQ, Inc. is organized and existing under the laws of the State of Delaware, with its principal place of business at 22000 AOL Way, Dulles, Virginia 20166. Upon information and belief, ICQ, Inc. is a wholly owned subsidiary of Time Warner, Inc.

7. Defendant InstallShield Software Technologies, Inc. is organized and existing under the laws of the State of Illinois, with its principal place of business at 900 National Parkway, Suite 125, Schaumburg, Illinois 60173.

8. Defendant ScanSoft, Inc. is organized and existing under the laws of the State of Delaware, with its principal place of business at 9 Centennial Drive, Peabody, Massachusetts 01960.

9. Defendant Siemens Communications Inc., is organized and existing under the laws of the State of Delaware, with its principal place of business at 900 Broken Sound Parkway Boca Raton, FL 33487.

10. Defendant Siemens Information and Communication Mobile LLC,. is organized and existing under the laws of the State of Delaware, with its principal place of business at 5000 T-Rex Avenue, Suite 300 Boca Raton, FL 33431.

11. Defendant Sony Ericsson Mobile Communications (USA) Inc. is organized and existing under the laws of the State of Delaware, with its principal place of business at 7001 Development Drive P.O. Box 13969 Research Triangle Park, NC 27709.

12. Defendant RealNetworks, Inc. is organized and existing under the laws of the State of Washington, with its principal place of business at P.O. Box 91123 Seattle, WA 98111-9223.

13. Defendant Symbian, Inc. is organized and existing under the laws of the State of Delaware, with its principal place of business at Bridge Park Center 390 Bridge Parkway Suite 201, Redwood Shores, CA 94065.

14. Defendant Macrovision Corporation is organized and existing under the laws of the State of Delaware, with its principal place of business at 2830 De La Cruz Boulevard Santa Clara, CA 95050.

JURISDICTION AND VENUE

15. Subject matter jurisdiction of this Court is proper under 28 U.S.C. §§ 1331 and 1338.

16. This Court can properly exercise personal jurisdiction over Defendant Red Bend Software, Inc. by virtue of the fact that it is headquartered in the State of Massachusetts, thereby availing itself of the laws of the State of Massachusetts and deriving the protections and benefits thereof.

17. This Court can properly exercise personal jurisdiction over Defendant Red Bend Software, Ltd. by virtue of the facts that it is related to Red Bend Software, Inc. and that it placed infringing software in the stream of commerce, through its U.S. Massachusetts facility, thereby availing itself of the laws of the State of Massachusetts and deriving the protections and benefits thereof.

18. This Court can properly exercise personal jurisdiction over Defendants Time Warner, Inc. and ICQ, Inc. by virtue of the fact that, upon information and belief, they have used infringing computer software to download updates to their customers in the District of Massachusetts, including, but not limited to, software under the brand names “vCurrent” and/or “vBuild for InstallShield” thereby availing themselves of the laws of the State of Massachusetts and deriving the protections and benefits thereof.

19. This Court can properly exercise personal jurisdiction over Defendant InstallShield Software Corp. by virtue of the fact that, upon information and belief, they have offered for sale and/or sold infringing computer software in the State of Massachusetts, including, but not limited to, software under the brand names “vCurrent,” “vBuild for

InstallShield,” and/or “InstallShield Update Service,” thereby availing themselves of the laws of the State of Massachusetts and deriving the protections and benefits thereof.

20. This Court can properly exercise personal jurisdiction over Defendant ScanSoft, Inc. by virtue of the fact that they are headquartered in the State of Massachusetts, thereby availing themselves of the laws of the State of Massachusetts and deriving the protections and benefits thereof, and by virtue of the fact that, upon information and belief, they have used infringing computer software in the State of Massachusetts, including, but not limited to, software under the brand name “InstallShield Update Service.”

21. This Court can properly exercise personal jurisdiction over Defendant Siemens Communication, Inc., by virtue of the fact that, upon information and belief, they have offered for sale and/or sold mobile handsets which incorporate infringing computer software in the State of Massachusetts, including, but not limited to, software under the brand names “vCurrent,” and/or “vBuild,” thereby availing themselves of the laws of the State of Massachusetts and deriving the protections and benefits thereof.

22. This Court can properly exercise personal jurisdiction over Defendant Siemens Information and Communication Mobile LLC., by virtue of the fact that, upon information and belief, they have offered for sale and/or sold mobile handsets which incorporate infringing computer software in the State of Massachusetts, including, but not limited to, software under the brand names “vCurrent,” and/or “vBuild,” thereby availing themselves of the laws of the State of Massachusetts and deriving the protections and benefits thereof.

23. This Court can properly exercise personal jurisdiction over Defendant Sony Ericsson Mobile Communications (USA) Inc., by virtue of the fact that, upon information

and belief, they have offered for sale and/or sold mobile handsets which incorporate infringing computer software in the State of Massachusetts, including, but not limited to, software under the brand names "vCurrent," and/or "vBuild," thereby availing themselves of the laws of the State of Massachusetts and deriving the protections and benefits thereof.

24. This Court can properly exercise personal jurisdiction over Defendant RealNetworks, Inc., by virtue of the fact that, upon information and belief, they have used infringing computer software to download updates to their customers in the state of Massachusetts, including, but not limited to, software under the brand names "vCurrent" and/or "vBuild" thereby availing themselves of the laws of the State of Massachusetts and deriving the protections and benefits thereof.

25. This Court can properly exercise personal jurisdiction over Defendant Symbian, Inc. by virtue of the fact that, upon information and belief, they have made, and/or made available the infringing computer software to download updates to their customers in the state of Massachusetts, including, but not limited to, software under the brand names "vCurrent" and/or "vBuild" thereby availing themselves of the laws of the State of Massachusetts and deriving the protections and benefits thereof.

26. This Court can properly exercise personal jurisdiction over Defendant Macrovision Corporation by virtue of the fact that, upon information and belief, they have offered for sale, sold and/or made available the infringing computer software in the State of Massachusetts, including, but not limited to, software under the brand names "vCurrent," "vBuild for InstallShield," and/or "InstallShield Update Service," thereby availing themselves of the laws of the State of Massachusetts and deriving the protections and benefits thereof.

27. Venue for the present action properly lies in this District pursuant to 28 U.S.C. §§ 1391(a) and (b).

THE PATENT-IN-SUIT

28. The '239 Patent, entitled "System and method for quick downloading of electronic files," was duly and legally issued on June 4, 2002.

29. The '239 Patent is properly assigned to Plaintiff BIS.

BACKGROUND

30. On or about March 22, 1999, Plaintiff BIS filed a patent application which ultimately matured into the '239 Patent.

31. The '239 Patent refers generally a system and method for improved transfer of electronic files.

32. In letters dated January 30, 2002, Plaintiff BIS notified Defendants Red Bend, Ltd. and InstallShield Software Corp. that certain computer software that they each manufactured, used, or sold infringed the '239 Patent.

33. On more than one occasion since January 30, 2002, Plaintiff BIS has notified Defendants Red Bend, Ltd. and InstallShield Software Corp. of the continuing infringement by the computer software that they manufactured, used, or sold.

COUNT 1 — PATENT INFRINGEMENT

34. Plaintiffs incorporate by reference the allegations of paragraphs 1 through 22 above, as if fully set forth herein.

35. Defendants Red Bend Software, Inc., Red Bend Software, Ltd., Time Warner, Inc., ICQ, Inc., InstallShield Software Corp., ScanSoft, Inc., Siemens Communication Inc., Siemens Information and Communication Mobile LLC, Sony Ericsson Mobile Communications (USA) Inc., RealNetworks, Inc., Symbian, Inc. and Macrovision Corporation (hereinafter, collectively, the "Defendants") have made, used, offered to sell, and/or sold in the United States, and/or imported into the United States, computer software incorporating the technology claimed in the '239 Patent without Plaintiff's authorization.

36. Defendants continue to manufacture, use, offer for sale, and/or sell within the United States and/or import into the United States computer software incorporating the technology claimed in the '239 Patent without Plaintiff's authorization.

37. Defendants have and continue to induce and/or engage in contributory infringement by marketing, selling, distributing and servicing computer software within the United States incorporating the technology claimed by the '239 Patent without Plaintiff's authorization.

38. The aforementioned acts by Defendants, including making, using, selling, offering for sale, importing, distributing, maintaining and/or servicing computer software, infringe and/or have infringed the '239 Patent pursuant to at least Title 35 U.S.C. § 271(a), (b) and/or (c).

39. Defendants do not have a license to make, use, sell, offer for sale or import computer software which incorporates the technology covered by the '239 Patent.

40. Defendants' infringement of the '239 Patent has been, and continues to be, willful.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff BIS seeks a judgment against Defendants as follows:

- a. Declaring that Defendants have infringed the '239 Patent;
- b. Declaring that Defendants have induced infringement and engaged in contributory infringement of the '239 Patent;
- c. Awarding Plaintiff BIS damages for Defendants' infringement of the '239 Patent;
- d. Declaring that Defendants' infringement of the '239 Patent is and has been willful;
- e. Awarding Plaintiff BIS treble damages and attorneys' fees for Defendants' willful infringement of the '239 Patent;
- f. Enjoining Defendants from infringing the '239 Patent in the future, where appropriate;
- g. Declaring that the case is exceptional pursuant to 35 U.S.C. § 285; and
- h. Awarding Plaintiff BIS such other and further relief as the Court may deem just and proper.

March _____, 2005

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